

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RHAWNIE MARCELLAIS,

Defendant.

Case No. 3:23-CR-00033

**UNITED STATES' MOTION TO
DISMISS COUNTS THREE AND
SIX OF THE INDICTMENT**

The United States of America, by Mac Schneider, United States Attorney for the District of North Dakota, and Dawn M. Deitz, Assistant United States Attorney, moves the Court for an order dismissing Counts Three and Six of the Indictment. (Doc. 2.) Facts and circumstances no longer warrant prosecution of Counts Three and Six pursuant to information revealed during trial preparations to the prosecution team. Each of the charges in Counts Three and Six charge Retaliation of a Witness, in violation of 18 U.S.C. § 1513(b)(2). Based upon the foregoing, the United States requests Counts Three and Six of the Indictment be dismissed.

Dated: June 20, 2024

MAC SCHNEIDER
United States Attorney

By: /s/ Dawn M. Deitz
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